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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

CHRISTINA L. ROTE,  
 Plaintiff,

vs.

UNITED PARCEL SERVICE, INC.,  
 an Ohio corporation; and  
 UPS TELECOMMUNICATIONS, INC.,  
 a Delaware corporation, doing business as  
 UPS TELESERVICES,  
 Defendants.

Case No.: 2:11-cv-01677-RCJ-PAL

**STIPULATION AND ORDER  
 (1) TO DISMISS COMPLAINT  
 WITH PREJUDICE AND  
 (2) TO SEAL DOCUMENT 12**

Plaintiff CHRISTINA ROTE, by and through Robert P. Spretnak, Esq., her attorney of record; and the UNITED PARCEL SERVICE, INC., an Ohio corporation; and UPS TELECOMMUNICATIONS, INC., a Delaware corporation, doing business as UPS TELESERVICES, and UPS FLEXIBLE BENEFITS PLAN, who has appeared in this matter by answering the Complaint (Document 1) that was filed, each of whom is appearing in this matter by and through and through Robert J. Cassity, Esq., their attorney of record; do hereby stipulate and agree as follows:

1. This matter shall be DISMISSED WITH PREJUDICE as to all defendants, whether named or appearing in this matter. Each party shall bear her or its own attorney's fees and costs.

2. Document 12, the Submission of Administrative Record, filed in this matter, and all accompanying exhibits and attachments (Document 12-1 through Document 12-10), shall be SEALED. This was a civil action is brought under 29 U.S.C. § 1132(a)(1)(B) and 29 U.S.C. § 1132(l) of the Employee Retirement Income Security Act of 1974 ("ERISA"), 29 U.S.C. §§ 1001-1461 for the recovery of benefits that Plaintiff had alleged were due and owing to her under the terms of a short term disability benefit. Defendants filed the administrative record with this Court for purposes of this Court conducting judicial review of this matter. In light of the fact that the administrative record that was necessary to be filed with this Court contains potentially-sensitive medical information about Plaintiff, the parties of record have agreed to the sealing of this particular court filing.

DATED: March 15, 2012.

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LAW OFFICES OF ROBERT P. SPRETNAK

HOLLAND & HART LLP

By: /s/ Robert P. Spretnak  
Robert P. Spretnak, Esq. (Bar No. 5135)

By: /s/ Robert J. Cassity  
Robert J. Cassity, Esq. (Bar No. 9779)

Attorney for Plaintiff

Attorney for Defendants

8275 S. Eastern Avenue, Suite 200  
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IT IS SO ORDERED.

  
UNITED STATES DISTRICT COURT JUDGE

Dated: This 21st day of March, 2012.